

On motion of Mr Martin the Senate adjourned until 3 o'clock P. M.

3 O'CLOCK, P. M.

Senate met—roll called—quorum present.

The first reading of the code of civil procedure, was resumed.

On motion of Mr Weatherford the rule of the Senate devoting the evening session of the Senate exclusively to the consideration of the code of civil procedure, was suspended.

Mr Weatherford introduced a bill to define the reserve in the 14th section of an act entitled, An act to provide for the construction of the Mississippi and Pacific Rail Road Company; read first time.

On motion of Mr Weatherford the rule was suspended, bill read second time, and referred to committee on Internal Improvements.

Mr Pedigo introduced a bill for the relief of Samuel Rowe; read first time.

On motion of Mr Grimes, the resolution offered by him on yesterday, changing the rule of the Senate requiring a bill to be read on two several days before reference, was taken up and adopted.

On motion of Mr Guinn the Senate adjourned until 9 o'clock to-morrow morning.

SATURDAY, DEC. 15th, 1855.

The Senate met pursuant to adjournment—roll called—quorum present. The Journal of yesterday was read and adopted.

Mr Potter presented the petition of Stephen Whitney, referred to the committee on Public debt.

Mr Palmer presented the petition of the heirs of James M. Rose, referred to the committee on private land claims No. 1.

Mr Palmer also presented the petition of the citizens of Harris county, referred to the committee on Internal Improvements.

Mr Potter chairman of the committee on the Judiciary, made the following reports.

The Judiciary committee have considered the joint resolution proposing an amendment to the constitution of the State, and direct me to return the same to the Senate and earnestly recommend its passage. The object of the proposed amendment is to adopt a fixed system in relation to our public domain, which shall make it available to the State as an educational and Internal Improvement fund. It gives four years, within which all the demands against the State for land, are to be liquidated.

and after that time, prohibits the legislature from making any use of the lands except for purposes of Education and Internal Improvements, unless by a vote of two-thirds of the Legislature. It also makes it the duty of the Legislature to provide for the sectionizing and sale of the vacant lands by general laws, at as early a day as practicable.

The Judiciary committee have considered a bill for the relief of citizens of Navarro county, and return the same to the Senate with a substitute, which is herewith presented, and recommend the adoption of the substitute and the passage of the bill. The object of the bill is to relinquish to the county of Navarro the State Taxes for the years 1856 and 1857, and the object of the substitute is to make the relinquishment general to all the counties of the State for the same period.

The Judiciary committee have considered the petition of Horace L. Upshur, praying that the name of Rosalia Hernandez, may be changed to that of Maria Rosalia Upshur, and majority of the committee are of opinion, that for the reasons stated in the petition, the prayer thereof should be granted. The committee therefore direct me to report to the Senate the accompanying bill, and recommend its passage.

A bill to change the name of Rosalia Hernandez to Maria Rosalia Upshur--read first time.

Mr Superviele from the committee on the Judiciary made the following report:

The committee on the Judiciary, to which was referred a bill authorizing the use of the Spanish language before the Justice courts, in certain cases and in the counties west of the Guadalupe river, have had the same under consideration; your committee have considered that there are at present within several counties in the State, precincts exclusively inhabited by citizens of Mexican origin, who are entirely unacquainted with the English language, and to enforce the law in those precincts two Justices of the peace are required to be elected as in other precincts of the State. This bill has a commendable object; it is to make Justice uniform in those precincts, and what is still more, to render it possible. Without the provisions of this bill, a part of our citizens would be deprived of the advantages secured to them by our form of government, which guarantees to them the means of obtaining speedy justice in the precincts of their residence. This law cannot prejudice our American born citizens, as its operation is confined to those limits where its necessity is felt, and to those persons for whom it is indispensable. Therefore a majority of your committee have instructed me to report back the aforesaid bill, and to recommend its passage.

Mr Wren from the committee on Claims and Accounts to which was referred a bill for the relief of Jesse Dean, reported the same back, recommending its passage.

Mr Hill from the committee on private land claims made the following report: the committee on private land claims, have considered the petition of Francis Blundell and find that he emigrated to Texas on the 9th of November 1835, married in Red River county in 1836, and that he has continued to reside in Texas with his family up to the present time; that he was in the service of Capt. Becknell in 1835, and afterwards in the ranging service under Capt. Stout, for which he has received his pay, and bounty land. He has also received his head-right as a single man and now asks for an augmentation grant of two-thirds of a League and one labor of land, as the head of a family. The committee are satisfied from the evidence before them that the petitioner is entitled to the relief sought and have instructed me to report the following bill for his relief and recommend its passage.

A bill for the relief of Francis Blundell, read first time.

Mr Quinn, chairman of the committee on engrossed bills reported as correctly engrossed "A Bill to amend the act of Feb'y 5th 1841, entitled an act of limitations.

Mr Flanagan chairman of the committee on Internal Improvements, made the following reports:

The committee on Internal Improvements have had before them a bill amending and supplementary to an act to Incorporate the Henderson and Burkeville Rail Road Company, approved January 27th 1854, and the committee are satisfied, that the contract has been let to a responsible company for the building of the said Road, and they are now upon the ground surveying and preparing for work; your committee also find that it is impossible for the company to complete the first twenty-five miles, agreeable to the requirements of the original charter; but being satisfied that it is really the intention of this company to go forward in good faith and to complete the same at an early period; they conclude further time should be extended, particularly when it is recollected that this is a very important road for the several counties through which it runs, and that it does not conflict with any other charter; and in the amendment, the views of the Governor are incorporated, requiring the principle office to be kept on the road, which also fully meets the views of the committee; your committee recommend the passage of the bill.

The committee on Internal Improvements to which was referred, a bill for the relief of the Galveston and Red River Railroad

company, and supplementary to the several acts incorporating said company, have investigated the same, report the same back and recommend its passage.

The object of this bill is to extend to this company the benefits of the law granting lands to Railroads upon the completion of the first twenty-five miles of their road within six months from the 30th day of January. It has been shown to the satisfaction of the committee, that this company have completed their grade in a good and substantial manner for twenty-five miles and that they are now prosecuting their work with vigor, and will have some eight or ten miles of their road completed and in running order by the last of January. It was shown to the committee, that they have already purchased and received their locomotive and all the iron necessary for the completion of the first twenty-five miles in a very short time; your committee therefore think it the policy of the State to continue to encourage those roads, which show that they are actually at work and progressing into the country.

Mr. Armstrong chairman of the committee on counties and county boundaries, to which was referred a bill to fix the Eastern boundary line of Bastrop county, reported the same back recommending its passage.

Mr. Armstrong chairman of the same committee made the following report: The committee on County boundaries have considered the petition of certain citizens of Limestone county and recommend that they be relieved by the passage of the following bill:

A bill to permanently locate the county-seat of Limestone county—read first time.

On motion of Mr. Millican, Mr. McCulloch was added to the committee on counties and county boundaries.

Mr. Whitaker chairman of the committee on private land claims No. 2, made the following report: The committee on private land claims No. 2, to which was referred the petition of Juan Delagado, on examination find it is a claim for money and appropriately belongs to the committee on claims and accounts: they therefore beg leave to return it to the Senate and recommend its reference to said committee.

Mr. Armstrong chairman of the committee on county boundaries, to which was referred a bill to create the county of Caddo, reported the same back, recommending its passage.

Mr. Allen, from the committee on internal improvements, to which was referred a bill to incorporate the Memphis, El Paso and Pacific Rail Road company, reported the same back recommending its passage.

Mr McDade introduced a bill for the relief of John S Hill ; read first and second times and referred to the committee on private land claims No 1.

Mr Burroughs introduced a bill for the relief of Almanzon Houston and John Love ; read 1st and 2d times and referred to committee on private land claims No 2.

Mr Palmer introduced a bill to permit the city of Houston to levy a special tax for rail road purposes ; read 1st and 2nd times and referred to the committee on internal improvements.

Mr McOnloch introduced a bill to incorporate the Guadalupe bridge company ; read 1st and 2d times and referred to the committee on roads, bridges, and ferries.

A bill for the relief of the professional men of Austin ; read 1st and 2d times, and on motion of Mr Scott, referred to committee on public lands.

### ORDERS OF THE DAY.

On motion of Mr Palmer, a bill supplementary to the act of March 13, 1848, better defining the marital rights of persons, and the report of the judiciary committee, offering amendments, to the same was taken up—read, and the amendments adopted.

Mr Palmer then offered the following amendment.

Sec. 8th. That the husband or wife may by last will and testament, give to the surviving husband or wife the power to keep his or her separate property together, until such time as each of the several heirs shall become of lawful age, and to manage and control the same, under the provisions of this act and such other restrictions as may be imposed by will.

Mr Burroughs offered the following as an amendment to the amendment, provided the surviving husband or wife is the father or mother as the case may be, of the minor heirs ; adopted.

Mr Scott offered the following as an amendment :

Provided that any child or heir entitled to any part of said property, shall at any time, upon becoming of age, be entitled to receive his distributive share of said estate—adopted.

Mr Palmer's amendment as amended was then adopted.

Mr White moved to amend by inserting after the word "husband" wherever it occurs, the words "or wife;" rejected and bill ordered to be engrossed.

On motion of Mr Palmer, the rule was suspended, the bill read 3d time and passed.

A message was received from the House informing the Senate that the House had passed a bill originating in the House, to regulate the session of the Supreme Court.

On motion of Mr Patter, the bill was taken up and read 1st and 2d times and amended as follows :

1st—After the word February in the 2d line of the 2d section, insert the words eighteen hundred and fifty-six.

2d—Insert the word May, before the word continued, in the 3d line of same section.

3d—In 3d line of same section, strike out nine, and insert ten.

4th—In 2d line of 3d section, strike out third, and insert fourth.

5th—After figures 1856, in same line of same section, insert "and."

Mr Palmer then moved to amend by adding the following as 1th section :

Sec. 4th—All appeals and writs of error and other writs returnable to either the Galveston or Tyler Branches of said Supreme Court, shall be returnable to the terms as established by this act—adopted.

The rule was then suspended, bill read 3d time and passed.

The following bills were severally read a third time and passed.

A bill to change the names of Martha McDonald and John McDonald to Martha McDonald Bateman and John McDonald Bateman.

A bill to restore lands sold for taxes and purchased by the State, to the former owners, on certain conditions. And

A bill to authorize Glover Wells to construct a bridge across the East Fork of Trinity river—passed unanimously.

On motion of Mr McCulloch, the bill for the relief of the Buffalo Bayou, Brazos and Colorado Railway company and their assignees, in certain cases, was taken up.

Mr Taylor, of Fannin, offered a substitute for the bill.

On motion of Mr McCulloch, the bill and substitute were postponed till Monday next, 17th inst.

Mr Allen, Chairman of the committee on enrolled bills, made the following report.

The joint committee on enrolled bills have examined a bill entitled "an act to incorporate Powder Horn Bayou and Matagorda Bay dredging company, and find the same correctly enrolled, properly signed, and this day submitted to the Governor.

On motion of Mr Taylor, of Cass, the Senate adjourned till 3 P M.

3 O'Clock, P. M.

Senate met—Roll called—Quorum present.

The first reading of the Code of Civil procedure was resumed.

Mr Armstrong, by request was excused from the committee on counties and county boundaries.

On motion of Mr Taylor, of Cass, the Senate adjourned until 10 o'clock, Monday morning.

MONDAY MORNING, {  
December 17, 1855. }

The Senate was called to order by the President pursuant to adjournment. Prayer by the Chaplain—roll called—quorum present.

The Journal of Saturday read and adopted.

Mr Grimes presented the petition of Martin Clarke; referred to the committee on private land claims, no. 2.

Mr Caldwell presented the petition of the heirs of Orman Logan and others; referred to committee on public lands.

Mr Taylor of Houston, presented the petition of Jane Finch; referred to the committee on private land claims, no. 1.

Mr McDade presented the memorial of the citizens of Independence-town, asking relief; referred to the committee on State affairs.

Mr Taylor of Fannin, presented the petition of L. D. Rainey, and of R. Alderson; referred to the committee on private land claims, no. 1.

Mr White presented the memorial of Wm. M. Cooke; referred to the Judiciary committee.

Mr Hill presented the petition of H. Ledbetter, asking for 320 acres of land; referred to the committee on private land claims no. 1.

Mr White presented the petition of Robt. J. Caruthers, and Joseph H. Beck; referred to the committee on the Judiciary.

Mr Bryan presented the petition of J. H. Herndon and Miles M. Batch, representatives of the estate of Hond and Luske; referred to the committee on claims and accounts.

Mr Palmer presented the petition of David Cole; referred to the committee on State affairs.

A message was received from the House, informing the Senate that the House had concurred in the amendments of the Senate to a House bill, to regulate the session of the Supreme Court.—Also informing the Senate of the appointment by the House, of a select committee, composed of Messrs. Charlton, Nichols, Adrian, West and Darden of Gonzales, to act with a like committee from the Senate, to make arrangements for the inauguration of the Governor and Lieut. Governor elect. Also that the House had passed a Senate bill to change the 6th and 9th Judiciary District and define the time of holding Courts therein.

Mr Armstrong presented the petition of William Tasser and others; referred to committee on Military affairs.